

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**ELWOOD H. JONES, JR.,**

**Petitioner,**

**-v-**

**MARGARET BAGLEY, Warden**

**Respondent.**

**Case No. C-1:01-cv-564**

**Judge Thomas M. Rose  
Magistrate Michael R. Merz**

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**ENTRY AND ORDER OVERRULING JONES'S OBJECTIONS (Doc.  
#162) TO THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATIONS (Doc. #160) IN ITS ENTIRETY;  
AND DISMISSING JONES'S PETITION FOR A WRIT OF HABEAS  
CORPUS WITH PREJUDICE**

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This matter comes before the Court pursuant to Petitioner Elwood H. Jones Jr.'s ("Jones's") Objections to Magistrate Judge Michael R. Merz's Report and Recommendations. The Report and Recommendations was entered on August 31, 2009. (Doc. #166.) On November 16, 2009, Jones filed objections. (Doc. 162.) On February 2, 2010, the Warden responded to Jones's Objections. (Doc. #165.) Jones's Objections are, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Jones's Objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety. Finally, Jones's Petition for a Writ of Habeas Corpus is DENIED with prejudice.

**DONE and ORDERED** in Dayton, Ohio, this 19<sup>th</sup> day of February, 2010.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record